

Change to _____

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Exemptions b () () E.O. 13526 25x () () ()

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With concurrence of: _____

IPS by SW obtained _____ not obt. _____ Date 12-14-16FROM 11A -
735100DDRAFT~~SECRET~~SUGGESTED TALKING POINTS FOR SPECIAL EMISSARY
TO ARGENTINA

The U.S. Government remains critically concerned about violation of internationally-recognized human rights wherever they may occur. The promotion of greater respect for human rights remains a fundamental tenet of United States foreign policy, and we are committed to taking actions multilaterally as well as bilaterally which lead to this end.

-- We recognize that the frequency of violations of the integrity of the person in Argentina has lessened during the past year. We note that there have been fewer disappearances and we are aware that the Argentine Government has committed itself to ending this abominable practice.

-- Even one officially-caused disappearance is a multiple human rights violation. In February, 1979, the Argentine Government assured us at the highest levels that disappearances would definitely cease at once. There were 33 unexplained disappearances after we received those assurances. That the Government may regard some or even all of these people as suspected terrorists does not detract from their humanity and cannot justify their abduction and prolonged detention incommunicado, or summary execution.

-- We reiterate our request, based on undertakings by the Argentine Government, for prompt information on those who disappeared in 1979.

-- The U.S. does not bargain human rights principles or policies in exchange for cooperation on other matters of interest and concern to us.

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-- The U.S. has also noted a substantial reduction in the number of executive detainees during the past year. We welcome the decision of the Argentine Government to restore their liberty or afford them access to normal ~~JUDICIAL~~ PROCEDURES. We have also appreciated the Government's helpfulness in ~~judicial-procedures~~ releasing certain individuals of particular interest to us, such as MARIA SUSANITA ANDRADA and Jacobo Timerman.

-- We would like to know the Argentine Government's plans for releasing or trying the remaining 1300 executive detainees. It would be helpful to know, for example, whether you have established a timetable to complete this process within, say, the next six months.

-- In this regard, we remain seriously concerned by obstacles which have impeded the functioning of the right-of-option program. (Supply figures if available.) With regard to U.S. cooperation in this area through our special parole program, we are especially concerned by the large number of denials of permission for U.S. consular officers to interview detainees who wish to apply for the program and also by the high rate of refusal of right-of-option requests to persons to whom we have issued certificates of eligibility. (Supply figures for last 6 months.) Prolonged delays also affect each stage of this process. What assurances can you provide that these specific problems will be overcome in the next few weeks and months?

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-- We are also seriously concerned by continuing reports of torture of detainees during their interrogation by security forces. We are aware of no concerted high-level Argentine Government efforts to end the practice. What are the specific plans of your Government with regard to eliminating this human rights abuse, which directly contravenes the UN Declaration on Torture as well as the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man?

-- We understand that conditions of confinement have improved in many respects in regular prisons since the promulgation in April 1979 of uniform prison regulations. This is a welcome development. We have received reports that at a few facilities, such as Rawson, the regulations have not been implemented fully and equitably. We urge you to take whatever action is needed to rectify remaining inequities in this field.

-- We have studied with great interest the Junta's recent statement of principles intended to serve as a framework for developing proposals for a return to elected constitutional government. We will continue to follow developments in this area closely. We note that the Junta's statement contains no timetable for return to constitutional rule and no commitment to hold elections. We trust that these commitments are implied and that they will be made explicit during the coming months, so that the Argentine

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people can look forward to an early opportunity to participate fully in an open political process.

-- We are aware of the difficulties you face in response to the requests of families for information about the fate of their missing relatives. Nevertheless, we continue to regard it as important to devise a plan to provide such information to them. The problem will not go away. What are your plans in this regard?

-- We are aware of the Government's cooperation with the InterAmerican Commission on Human Rights during its September visit to Argentina. We attach great importance to cooperation with intergovernmental human rights institutions, as we recognize that the task of safeguarding human rights and promoting their full observance is a responsibility which properly belongs as much to the international community as to national states.

-- With regard to the Commission's draft report, which has been submitted to the Argentine Government for comment, I want to assure you that, contrary to rumors in the press, the U.S. Government has neither seen the report nor attempted in any way to influence its content. We fully respect the independence of the Commission and the integrity of its procedures. Our goal is to strengthen Inter-American human rights machinery and procedures, and we are fully aware that this purpose can be served only when all states respect their integrity and impartiality.

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-- We have the same goals uppermost in our minds as we approach the forthcoming session of the UN Human Rights Commission. We have already conveyed to you the general outline of our approach on items of particular interest to Argentina. These are, in summary, to support responsible initiatives to establish an impartial universal procedure to deal with the problem of disappearances, and support appropriate action by the Commission under its confidential 1503 procedures to deal with situations referred to it by the Subcommission. We do not seek public censure of Argentina by the Commission.

-- As we have pointed out, assurances by the Argentine Government of further progress in solving some of the problems I outlined earlier will make it easier for the U.S. to advocate a moderate position in Geneva. Similarly Argentine acceptance of the establishment of a universal procedure for dealing with disappearances, and agreement to cooperate with the Commission through the confidential 1503 procedures, will enable us to withhold support of possible initiatives less acceptable to Argentina. I would appreciate knowing your reaction to these suggestions.

-- As you know, the Department of State will submit human rights reports on all countries members of the UN to Congress on January 31, in compliance with a provision of law. These reports are designed to describe actual conditions in each country as accurately and objectively as is possible.

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based on information available to the Department. Their purpose is not to praise or condemn individual governments. The report on human rights practices in Argentina has been prepared with the same standards and criteria as those on all other countries. Readers of the report will have to judge to what extent we have succeeded in achieving our goals of accuracy and objectivity. No report has been deliberately softened, toughened, or otherwise modified because of U.S. foreign policy goals or the present state of our relations with a country. *AND NONE WILL BE.*

(IF RAISED BY THE ARGENTINES)
 -- ~~With regard to our policies with respect to~~ the international financial institutions, ~~our policies with respect to~~ ~~Export-Import Bank financing,~~ ~~exports of military and~~ police equipment, *AND* military training, *PROGRAMS,* ~~and~~ *ADMINISTRATIVE* POLICIES ARE GUIDED BY UNITED STATES LAW AS WELL AS BY HUMAN RIGHTS AND OTHER FOREIGN POLICY CONSIDERATIONS.

THE U.S. IS NOT PREPARED TO MODIFY
 CURRENT POLICIES ON THESE MATTERS OR TO SEEK
 MODIFICATION OF LEGISLATION ~~RE~~ PROHIBITING THE
 TRANSFER OF MILITARY EQUIPMENT AND THE
 PROVISION OF ^{MILITARY} TRAINING. ~~THE U.S. WILL~~
 -- IF ARGENTINA COOPERATES WITH THE U.S.
 ON MEASURES TO MEET ^{THE} SOVIET AGGRESSION IN
 SOUTH ASIA, THE U.S. WILL CONTINUE NORMAL
 COMMERCIAL RELATIONS WITH ARGENTINA AND
 CONTINUE TO MAKE AVAILABLE THE FACILITIES OF
 THE EXPORT-IMPORT BANK FOR FINANCING
 -- *CONSIDERATIONS.*

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